



Legislation Details (With Text)

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File created: 8/2/2022 **In control:** Planning Commission

On agenda: 8/11/2022 **Final action:**

Title: (Continued from 9:15 a.m. to 11:33 a.m.) - PUBLIC HEARING - Consideration of Proposed Major Use Permit (UP 20-51) and Mitigated Negative Declaration based on Initial Study (IS 20-75) for ten (10) A – Type 3 “Outdoor” cultivation permits with a total canopy area of 432,800 sq. ft.; Applicant is LAMPERTI FARMS; Located at 1111 Sulphur Bank Dr., 13405 Jensen Rd., 565 Sulphur Bank Dr., 1070 Sulphur Bank Dr., 14499 E State HWY 20, 1350 Sulphur Bank Dr., 1200 Sulphur Bank Dr., (APNs: 006-520-10; 006-520-11; 006-520-12; -006-540-02; 006-540-08; 010-002-37; 010-002-53)

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. Property Management Plan (UP 20-51), 2. Proposed Site Plans (UP 20-51), 3. Initial Study for UP 20-51 Lamperti Farms (UP 20-51, IS 20-75), 4. Agency & Public Comments, 5. Biological & Botanical Reports, 6. Hydrology Study & Drought Management Plan, 7. Mitigation Monitoring Reporting Program (MMRP), 8. UP 20-51 Lamperti Farms - Conditions of Approval, 9. UP 20-51 Lamperti Farms - Staff Report, 10. Proof of Publication UP 20-51 (Lamperti Farms) PC 8-11-22, 11. Public Comment (Lamb), 12. Public Comment (Sherrell), 13. Public Comment (Sherrell 2)

Date	Ver.	Action By	Action	Result
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Memorandum

COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
 Planning Division
 Courthouse - 255 N. Forbes Street Lakeport, California 95453
 Telephone 707/263-2221 FAX 707/263-2225

Item #4

9:15 AM

August 11, 2022

STAFF REPORT

TO: Planning Commission

FROM: Mary Darby, Community Development Director Prepared by:
 LACO Associates
 Assigned Planner: Andrew Amelung, Cannabis Program Manager

DATE: August 11, 2022

RE: Lamperti Farms

- Major Use Permit (UP 20-51)
- Initial Study (IS 20-51)

Supervisor District 3 - Eddie "EJ" Crandell Planning
Commission - Batsulwin Brown

ATTACHMENTS:

1. Property Management Plan
2. Proposed Site Plans
3. Initial Study
4. Agency & Public Comments
5. Biological Assessment
6. Hydrology Report
7. Mitigation Monitoring Reporting Program
8. Proposed Conditions of Approval

I. EXECUTIVE SUMMARY

Mr. Anthony Lamperti is seeking a Major Use Permit from the County of Lake, for a proposed commercial cannabis cultivation operation at 565 & 1111 Sulphur Bank Drive, near Clearlake Oaks, California on Lake County APNs 006-520-11 and 12. The proposed commercial cannabis cultivation operation would be composed of eleven (11) A-Type 3 "Medium Outdoor" cultivation areas, a 120 sq. ft. Pesticide & Agricultural Chemicals Storage Area (proposed wooden shed), a 120 sq. ft. Security Room/Building (proposed wooden shed), and eleven 160 sq. ft. Harvest Storage Areas. The growing medium of the proposed outdoor cultivation/canopy areas would be native soil amended with compost,

worm castings, and organic dairy manure, with drip irrigation systems covered in white plastic mulch to conserve water resources. All water for the proposed cultivation operation would come from an existing on-site groundwater well and ten 5,000-gallon water storage tanks.

The Project would occur on a 257-acre property that currently supports a working ranch. The site is accessed from Highway 20 via Sulphur Bank Drive. The Project would use approximately 24.9 acre-feet of water per year.

Figure 1. Lamperti Farms Proposed Conditions Site Plan

II. RECOMMENDATION

Staff recommends the Planning Commission take the following actions.

A. Adopt Mitigated Negative Declaration (IS 20-51) for Major Use Permit (UP 20-51) with the following findings:

1. Potential environmental impacts related to aesthetics can be mitigated to less than significant levels with the inclusion of mitigation measures AES-1.
2. Potential air quality impacts can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1, AQ-2, AQ-3, AQ-4, AQ-5, AQ-6 and AQ-7.
3. Potential biological impacts can be mitigated to less than significant levels with the inclusion of mitigation measure BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, and BIO-6.
4. Potential environmental impacts related to cultural and Tribal resources can be mitigated to less than significant levels with the inclusion of mitigation measures CUL- 1, CUL-2, CUL-3.
5. Potential geology and soils can be mitigated to less than significant levels with the inclusion of mitigation measures GEO-1, GEO-2, GEO-3 and GEO-4.
6. Potential hydrology and water quality impacts can be mitigated to less than significant levels with the inclusion of mitigation measures BIO-1 through BIO-6, HAZ-1 through HAZ-5, and HYD-1.
7. Potential noise impacts can be mitigated to less than significant levels with the inclusion of mitigation measures NOI-1, NOI-2 and NOI-3.
8. Potential tribal cultural resources impacts can be mitigated to less than significant levels with inclusion of mitigation measures CULT-1 through CULT-3.
9. This project is consistent with land uses in the vicinity.
10. This project is consistent with the Lake County General Plan, Lakeshore Communities Area Plan, and Zoning Ordinance.
11. Any changes to the project will require either an amended Use Permit or a new Use Permit unless the Community Development Director determines that any changes have no potential environmental impacts.
12. As mitigated through specific conditions of approval, this project will result in less than significant environmental impacts.

B. Approve Major Use Permit UP 20-51 with the following findings:

1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental to property and improvements in the neighborhood or the general welfare of the County.
2. The site is adequate in size, shape, locations, and physical characteristics to accommodate the type of use and level of development proposed.

3. The streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the proposed use.
4. There are adequate services to serve the project.
5. This project is consistent with the Lake County General Plan, Shoreline Communities Area Plan, and Lake County Zoning Ordinance.
6. No violation of Chapter 5, 17, 21, 23 or 26 of the Lake County Code currently exists on this property, with a condition of approval implemented.
7. The proposed use complies with all development standards described in Chapter 21, Article 27, Section 1.i.
8. The applicant is qualified to make the application described in Chapter 21, Article 27, Section 1.ii.(g).
9. The application complies with the qualifications for a permit described in Chapter 21, Article 27, Section 1.ii.(i).

Sample Motions:

Mitigated Negative Declaration

I move that the Planning Commission find that the **Major Use Permit (UP 20-51)** applied for by **Lamperti Farms** on property located at **1111 Sulphur Bank Drive Clearlake Oaks, CA 95423**, further described as **APN: 006-520-11, -10,-12; 006-540-02 & 08 and 010-002-35,-37,53** will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated **August 11, 2022**.

Major Use Permit (UP 20-51)

I move that the Planning Commission find that the **Major Use Permit (UP 20-51)** applied for by **Lamperti Farms** on property located at **1111 Sulphur Bank Drive Clearlake Oaks, CA 95423**, further described as **APN: 006-520-11, -10,-12; 006-540-02 & 08 and 010-002-35,-37,53** does meet the requirements of Section 51.4 and Article 27, Section 1 [i,ii(g),i(ii)] of the Lake County Zoning Ordinance and the Major Use Permit be granted subject to the conditions and with the findings listed in the staff report dated **August 11, 2022**.

***NOTE:** The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh*